

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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MULTIDISTRICT LITIGATION

Oct 24, 2008

FILED
CLERK'S OFFICE

**IN RE: INTERNAL REVENUE SERVICE
§ 412(I) PLANS LIFE INSURANCE
MARKETING LITIGATION**

Stephen Berry, et al. v. Bryan Cave, LLP, et al.,)
D. Arizona, C.A. No. 2:08-1768)

MDL No. 1983

CONDITIONAL TRANSFER ORDER (CTO-1)

On October 7, 2008, the Panel transferred one civil action to the United States District Court for the Northern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Jane J. Boyle.

It appears that the action on this conditional transfer order involves questions of fact that are common to the action previously transferred to the Northern District of Texas and assigned to Judge Boyle.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Northern District of Texas for the reasons stated in the order of October 7, 2008, and, with the consent of that court, assigned to the Honorable Jane J. Boyle.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Texas. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Nov 12, 2008

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FOR THE PANEL:


Jeffrey N. Lüthi
Clerk of the Panel